

# **EXHIBIT G**

**IN THE SUPERIOR COURT OF FULTON COUNTY  
 STATE OF GEORGIA**

DONALD J. TRUMP, in his capacity as a	)	
Candidate for President, <i>et al.</i>	)	
<i>Petitioners,</i>	)	
	)	Civ. Act. No. 2020CV343255
v.	)	
BRAD RAFFENSPERGER, in his official capacity	)	
As Secretary of State of Georgia, <i>et al.</i> ,	)	
	)	

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**NOTICE OF EMERGENCY REQUEST TO APPOINT  
 ADMINISTRATIVE LAW JUDGE**

**COME NOW** THE PETITIONERS, by and through the undersigned counsel, and hereby respectfully provide Notice of their Emergency Request to Appoint an Administrative Law Judge pursuant to O.C.G.A. § 21-2-523 and in support state as follows:

**FACTS**

1.

Petitioners filed the instant action on December 4, 2020.

2.

On December 9, 2020, Petitioners filed a Motion for Leave to Amend the Complaint along with an Amended Complaint and new *and pending* emergency motion for injunctive relief to account for the Secretary of State's certification of the re-count results that occurred after Petitioner's initial filing.

3.

On December 9, 2020, the Honorable Constance C. Russell was assigned the case and entered an Order on Case Status and in said order stated that the matter “shall proceed in the normal course.”

4.

Judge Russell is a resident of Fulton County, GA.

5.

Judge Russell has not taken senior status at this time.

6.

Petitioners respectfully suggest that Judge Russell lacked authority to enter such an Order and to preside over this case under the Georgia Election Code.

7.

Pursuant to O.C.G.A. § 21-2-523 (c) when a contest petition is filed, the administrative judge for that Judicial District is to be immediately notified. Under O.C.G.A. § 21-2-523 (d) if the administrative judge is a member of the Circuit in which the proceeding was filed, then the administrative judge shall select an administrative judge of an adjoining district to select a Superior Court judge from that district, or a senior judge who is not a resident of the circuit wherein the proceeding was filed.

8.

In the context of the instant case filed in the 5th Judicial Administrative District, The Honorable Chief Judge Christopher S. Brasher is the Administrative Judge.

9.

Because Judge Brasher is a member of the Atlanta Judicial Circuit, as are all members of the 5th Administrative District, the statute requires he select an administrative judge of an adjoining district viz. from the 4th, 6th, 7th, or 9th Judicial Districts.

10.

If Judge Brasher chooses the administrative judge from the 7<sup>th</sup> Judicial District, that judge must choose a Superior Court judge from Cherokee, Cobb, Conasauga, Douglas, Lookout Mountain, Paulding, Rome, or Tallapoosa counties.

11.

If Judge Brasher chooses the administrative judge from the 6<sup>th</sup> Judicial District that judge must chose a superior court judge from Coweta, Griffin, Clayton, Flint or Towaliga counties to preside.

12.

If Judge Brasher chooses the administrative judge from the 4th Judicial District, that judge must choose a Superior Court judge from Stone Mountain or Rockdale counties to preside.

13.

If Judge Brasher chooses the administrative judge from the 9th Judicial District, that judge must choose a Superior Court judge from Appalachian, Blue Ridge, Bell-Forsyth, Gwinnett, North-Eastern, Enotah, or Mountain counties.

14.

Any of the aforementioned administrative judges could also select a senior status judge who does *not* live in Fulton County.

15.

The law gives Judge Brasher complete discretion to choose which administrator shall assign the judge to hear the case.

16.

Upon information and belief, Judge Russell was not appointed to this case pursuant to the relevant statutes and is a current resident of Fulton County who is not yet on Senior Judge status.

17.

Since Judge Russell was not properly appointed to this case and lacked statutory authority to preside, any action in this matter taken by her was void *ab initio*.

18.

Petitioners are seeking an emergency appointment of a judge that is proper and mete to preside over this action so as not to prejudice the legal rights of Petitioners to have a contested election challenge under the Georgia Election Code.

19.

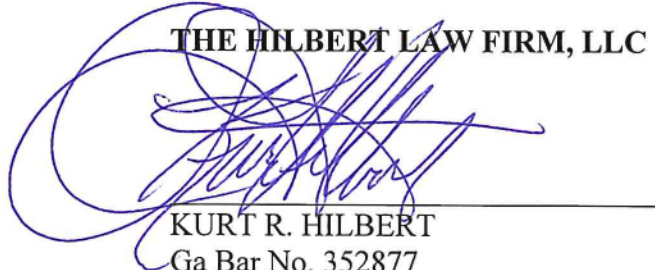
Due to the gravitas of the issues presented by this action, Petitioners are hopeful that this matter and request is addressed promptly and *sua sponte*.

**WHEREFORE**, because the Honorable Constance C. Russell is a resident of Fulton County and has not yet taken senior status, although a well respected jurist in Fulton County, she therefore is unfortunately ineligible to serve as a presiding judge in this case and any Orders entered by her were void *ab initio*, and Petitioners respectfully request that the Election Code be

followed in an emergency appointment of a judge under the process set forth therein so as not to create appellate error or causing undue delay.

Respectfully submitted, this 10<sup>th</sup> day of December, 2020.

**THE HILBERT LAW FIRM, LLC**



KURT R. HILBERT  
Ga Bar No. 352877  
*Lead Counsel for Petitioners*

205 Norcross Street  
Roswell, GA 30075  
T: (770) 551-9310  
F: (770) 551-9311  
E: [khilbert@hilbertlaw.com](mailto:khilbert@hilbertlaw.com)